

EXHIBIT H

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v.-

EARL SETH DAVID,

a/k/a "Rabbi Avraham David,"

Defendant.

- - - - - x

ORDER OF
FORFEITURE

S1 11 Cr. 424 (NRB)

WHEREAS, on or about October 11, 2011, EARL SETH DAVID, a/k/a "Rabbi Avraham David," (the "defendant"), among others, was charged in a four-count Superseding Indictment, S1 11 Cr. 424 (NRB) (the "Indictment"), with conspiracy to commit immigration fraud, in violation of 18 U.S.C. § 371 (Count One); false statements to immigration authorities, in violation of 18 U.S.C. § 1546(a) and 2 (Count Two); mail and wire fraud conspiracy, in violation of 18 U.S.C. § 1349 (Count Three); and money laundering conspiracy, in violation of 18 U.S.C. § 1956(h) (Count Four);

WHEREAS, the Indictment included a forfeiture allegation, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 982(a)(6), of all conveyances used in the commission of the offense alleged in Counts One and Two of the Indictment; all property, real and personal, that constitutes and is derived from and is traceable to proceeds obtained directly and

indirectly from the commission of the offenses alleged in Counts One and Two of the Indictment; and all property, real and personal, that was used to facilitate, and was intended to be used to facilitate the commission of the offenses alleged in Counts One and Two of the Indictment;

WHEREAS, the Indictment included a second forfeiture allegation, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, of all property, real and personal, constituting and derived from the proceeds traceable to the commission of the offense alleged in Count Three of the Indictment;

WHEREAS, the Indictment included a third forfeiture allegation, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 982(a)(1), of all property, real and personal, involved in the commission of the offense alleged in Count Four of the Indictment and all property traceable to such property;

WHEREAS, on or about April 2, 2012, the defendant pled guilty to Counts One and Three of the Indictment and admitted the forfeiture allegation, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation and agreed to forfeit a sum of money equal to \$2,500,000 in United States currency, representing the amount of

proceeds the defendant obtained as a result of the offenses charged in Counts One and Three;

WHEREAS, on April 10, 2013, the defendant was sentenced and ordered to forfeit \$2,500,000 in United States currency, representing the amount of proceeds obtained as a result of the offenses charged in Counts One and Three of the Indictment;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One and Three of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$2,500,000 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture, this Order is final as to the defendant, EARL SETH DAVID, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
April , 2013

SO ORDERED:

HONORABLE NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE